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·22855 U.S. PTO

**CONTINUATION APPLICATION TRANSMITTAL FORM**  
**UNDER RULE 1.53(b)**

|                 |   |           |  |  |
|-----------------|---|-----------|--|--|
| DOCKET NUMBER   | ANTICIPATED CLASSIFICATION OF THIS APPLICATION: |           | PRIOR APPLICATION SERIAL NUMBER:<br>10/188,320 | PRIOR APPLICATION FILING DATE:<br>JULY 1, 2002 |
| 49947-60188CON2 | CLASS:  | SUBCLASS: | EXAMINER: T.A. SOLOLA                          | ART UNIT: 1626                                 |

MAIL STOP PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

17510 U.S. PTO  
10/750570

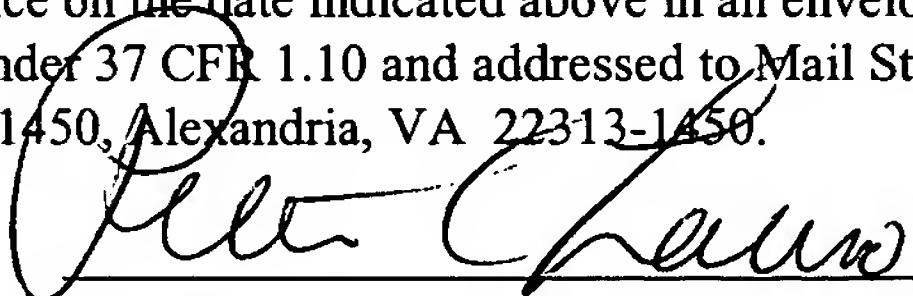


**CERTIFICATION UNDER 37 CFR 1.10**

Date of Deposit: December 30, 2003 Mailing Label Number: EV 342589586 US

I hereby certify that this 37 CFR 1.53(b) request and the documents referred to as attached therein are being deposited with the United States Postal Service on the date indicated above in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Peter C. Lauro, Esq.  
Name of Person Mailing Paper

  
Signature

Dear Sir:

This is a request for filing a continuation application under 37 CFR 1.53(b), of pending prior continuation application serial no. 10/188,320, filed on July 1, 2002 of Satyanarayana G. Reddy entitled *Cyclic Ether Vitamin D3 Compounds, 1 $\alpha$ (OH) 3-EPI-Vitamin D3 Compounds and Uses Thereof*, which is a continuation of prior application serial no. 09/617,881, filed on July 17, 2000, Issued, which is a divisional application of application serial no. 09/079,942, filed on May 15, 1998, Issued, which in turn claims priority to provisional application serial no. 60/046,690, filed on May 16, 1997.

1.  Enclosed is a copy of the latest inventor signed application. The copy of the enclosed papers is as follows:

- 48 pages of specification;
- 3 pages of claims;
- 1 page of abstract;
- 12 sheets of informal drawings; and
- 5 pages of executed Declaration, Petition and Power of attorney.

I hereby verify that the attached papers are a true copy of the prior complete application serial no. 10/188,320 as originally filed on July 1, 2002.

2.  The filing fee is calculated below:

|  | NUMBER OF CLAIMS FILED |       |       | NUMBER EXTRA |
|--|------------------------|-------|-------|--------------|
| TOTAL  | * 1                    | MINUS | ** 20 | = 0          |
| INDEP.   | * 1                    | MINUS | *** 3 | = 0          |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS |                        |       |       |              |

| RATE      | Fee    |
|-----------|--------|
| x 9 =     | \$0.00 |
| x 43 =    | \$0.00 |
| +145 =    | \$0.00 |
| BASIC FEE | \$0.00 |
| TOTAL     | \$0.00 |

| OTHER THAN A |          |
|--------------|----------|
| OR           | OR       |
| RATE         | Fee      |
| x 18 =       | \$0.00   |
| x 86 =       | \$0.00   |
| + 290 =      | \$0.00   |
| BASIC FEE    | \$770.00 |
| TOTAL        | \$770.00 |

3.  **The filing fee is not being paid at this time.**
4.  Amend the specification by inserting before the first line the paragraph: "This application is a continuation application of continuation application serial no. 10/188,320, filed on July 1, 2002, Pending, which is a continuation application of serial no. 09/617,881, filed on July 17, 2000, issued as U.S. Patent 6,479,538, which is a divisional application of application serial no. 09/079,942, filed on May 15, 1998, issued as U.S. Patent 6,100,294, which in turn claims priority to provisional application serial no. 60/046,690, filed on May 16, 1997. The contents of all of the aforementioned applications are hereby incorporated herein by reference."
5.  The prior application is assigned of record to Women and Infants Hospital, Reel 9372, Frame 0325-0326, Recorded August 10, 1998.
6.  A three month extension of time has been submitted in the parent application Serial No. 10/188,320 in order to establish copendency with the present application. A copy of the request for extension of time is enclosed.
7.  The power of attorney in the prior application is to Peter C. Lauro, Esq., Reg. No. 32,360.
  - a.  The power appears in the original papers in the prior application.
  - b.  Also enclosed is a copy of an executed Associate Power of Attorney from Giulio A. DeConti, Jr., Esq., Registration No. 31,503, of Lahive & Cockfield, LLP, to Peter C. Lauro, Esq., Registration No. 32,360, of Lahive & Cockfield, LLP.
8.  Also enclosed is a copy of a Supplemental Declaration, Petition and Power of Attorney filed in parent application Serial No. 09/617,881.
9.  Address all future communications (May only be completed by applicant, or attorney or agent of record) to Peter C. Lauro, Esq. at **Customer Number: 21874** whose address is:

Edwards & Angell, LLP  
101 Federal Street  
Boston, Massachusetts 02110

10.  Any requests for extensions of time necessary in a parent application for establishing copendency between this application and a parent application are hereby requested and the Commissioner is authorized to charge any fee associated with such an extension to Deposit Account No. 04-1105.

December 30, 2003  
Date  
EDWARDS & ANGELL, LLP  
101 Federal Street  
Boston, Massachusetts 02110  
Tel. (617) 517-5509



Peter C. Lauro, Esq.  
 inventor(s)  filed under § 1.34(a)  
 assignee of complete interest  
 attorney or agent of record

In re the application of: Satyanarayana G. Reddy

Serial No.: 10/188,320

Filed: July 1, 2002

For: *Cyclic Ether Vitamin D3 Compounds, 1 $\alpha$ (OH) 3-EPI-Vitamin D3 Compounds and Uses Thereof*

Attorney Docket No.: 49947-60188CON (formerly WII-007DV2CN)

Group Art Unit: 1626

Examiner: Taolfaq A. Solola

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR THREE-MONTH EXTENSION OF TIME**

Dear Sir:

Applicants request a three-month extension of time pursuant to 37 CFR 1.136(a) in which to respond to the Office Action dated July 2, 2003. In lieu of responding to the Office Action, Applicants are filing on even date a Rule 53(b) continuation application.

Enclosed please find a check for the appropriate fee of \$950.00 based on large entity status. Please charge any underpayments or credit any overpayments to our Deposit Account No. 04-1105. A duplicate of this sheet is enclosed.

"Express Mail" mailing label number EV 342589572 US

Date of Deposit December 30, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

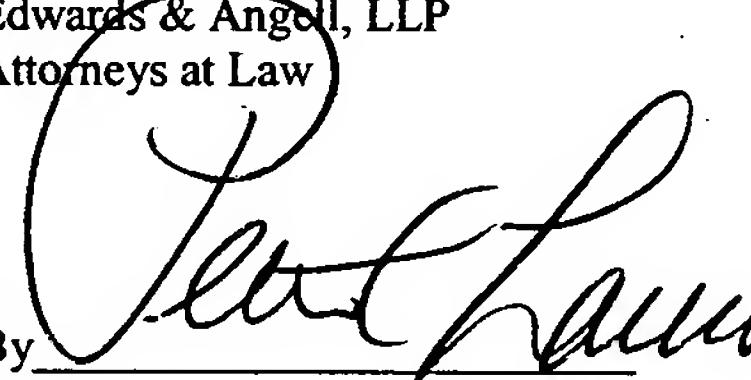
Signature

Peter C. Lauro

Please Print Name of Person Signing

Edwards & Angell, LLP  
Attorneys at Law

By

  
Peter C. Lauro, Esq.  
Registration No. 32,360  
101 Federal Street  
Boston, MA 02110  
Telephone: 617-517-5509  
Facsimile: 888-325-9044

Dated: December 30, 2003